

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

BRC RUBBER & PLASTICS, INC.,

Plaintiff,

v.

CONTINENTAL CARBON CO.,

Defendant.

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CAUSE NO. 1:11-cv-190

OPINION AND ORDER

Plaintiff filed this case in this Court based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that on information and belief, Defendant Continental Carbon Co. is incorporated in Delaware and has its principal place of business in Texas. (Compl. ¶ 2.) The Plaintiff's jurisdictional allegations, however, inadequately set forth the Defendant's citizenship.

"Allegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge." *Yount v. Shashek*, 472 F. Supp. 2d 1055, 1057 n.1 (S.D. Ill. 2006); *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at *1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at *2 (N.D. Ill. Jan. 21, 2003). Therefore, the Plaintiff is ORDERED to file an amended Complaint forthwith, alleging the Defendant's citizenship on personal knowledge.

SO ORDERED.

Enter for June 3, 2011

/S/ Roger B. Cosbey

Roger B. Cosbey,
United States Magistrate Judge